

PHILLIP H. BAER, ESQUIRE
Phillip H. Baer, Ltd.
Identification No. 03745
19th Floor, 1515 Market Street
Philadelphia, Penna. 19102
PHONE: 215-557-9000

Counsel for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RACHEL M. WHITE : CIVIL ACTION
vs. :
DAVID W. HAMEN : NO. 02-CV-3654
- and - :
DISCOUNT CAR & TRUCK :
RENTALS, LTD. :
:

ORDER

____AND NOW, this ____ day of _____, 2002, upon consideration of
the within pleading, it is **ORDERED** and **DECREED** that the Order of this Court
dated June 14, 2002, denying Plaintiff's Motion to Remand is **VACATED** and said
Motion is hereby **GRANTED**.

BY THE COURT:

J.

PHILLIP H. BAER, ESQUIRE
Phillip H. Baer, Ltd.
Identification No. 03745
19th Floor, 1515 Market Street
Philadelphia, Penna. 19102
PHONE: 215-557-9000

Counsel for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RACHEL M. WHITE : CIVIL ACTION
vs. :
DAVID W. HAMEN : NO. 02-CV-3654
- and - :
DISCOUNT CAR & TRUCK :
RENTALS, LTD. :

**PLAINTIFF'S MOTION FOR RECONSIDERATION OF THE
ORDER OF THIS COURT DATED JUNE 14, 2002, DENYING
PLAINTIFF'S MOTION TO REMAND**

1. On June 12, 2002, plaintiff filed a Motion to Remand for the failure of defendants to prove the amount in controversy requirements, (Exhibit "A").
2. By Order dated June 14, 2002, (Exhibit "B"), the Motion to Remand was denied as moot.
3. If this Court grants Defendants' Petition for Leave to File an Amended Notice

of Removal, Plaintiff's Motion to Remand is no longer moot and it is respectfully requested that it be granted.

WHEREFORE, plaintiff respectfully requests this Honorable Court enter an Order in

the form attached hereto.

PHILLIP H. BAER, LTD.

BY: _____

PHILLIP H. BAER, ESQUIRE
Counsel for Plaintiff

PHB:rlh

PHILLIP H. BAER, ESQUIRE
Phillip H. Baer, Ltd.
Identification No. 03745
19th Floor, 1515 Market Street
Philadelphia, Penna. 19102
PHONE: 215-557-9000

Counsel for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RACHEL M. WHITE : CIVIL ACTION
vs. :
DAVID W. HAMEN : NO. 02-CV-3654
- and - :
DISCOUNT CAR & TRUCK :
RENTALS, LTD. :

MEMORANDUM OF LAW

____ No citation of authority is necessary.

Respectfully submitted,

PHILLIP H. BAER, LTD.

BY: _____

ESQUIRE

PHILLIP H. BAER,

Counsel for Plaintiff

COMMONWEALTH OF PENNSYLVANIA :
 : SS
COUNTY OF PHILADELPHIA :

PHILLIP H. BAER, ESQUIRE, being duly sworn according to law, deposes
and says that he is counsel for the plaintiff in the within action; that as such he is
authorized to make this affidavit; and that the facts set forth in the foregoing pleading are
true and correct to the best of his knowledge, information and belief.

PHILLIP H. BAER, ESQUIRE

SWORN TO and SUBSCRIBED

before me this _____ day
of _____, 2002.

NOTARY PUBLIC

PHILLIP H. BAER, ESQUIRE
Phillip H. Baer, Ltd.
Identification No. 03745
19th Floor, 1515 Market Street
Philadelphia, Penna. 19102
PHONE: 215-557-9000

Counsel for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RACHEL M. WHITE : CIVIL ACTION

vs. :

DAVID W. HAMEN : NO. 02-CV-3654

- and -

DISCOUNT CAR & TRUCK :
RENTALS, LTD.

CERTIFICATE OF SERVICE

PHILLIP H. BAER, ESQUIRE, hereby certifies that he is counsel for plaintiff
in the

above action and that on June 18, 2002, he furnished counsel for defendants with a copy
of the

within Plaintiff's Motion for Reconsideration of the Order of this Court Dated June 14,
2002,

Denying Plaintiff's Motion to Remand by first-class mail at the following address:

Thomas A. Kuzmick, Esquire
Rawle and Henderson, LLP
The Widener Building
One South Penn Square
Philadelphia, Penna. 19107

PHILLIP H. BAER, LTD.

BY: _____

PHILLIP H. BAER,
ESQUIRE
Counsel for Plaintiff

June 18, 2002

Thomas A. Kuzmick, Esquire
Rawle and Henderson, LLP
The Widener Building
One South Penn Square
Philadelphia, Penna. 19107

RE: **White vs. Hamen, et al**
Your File No. 439,503

Dear Mr. Kuzmick:

Enclosed are copies of the following, the originals of which have been duly filed with the Court:

1. Plaintiff's Answer to Defendants' Petition for Leave to File an Amended Notice of Removal; and
2. Plaintiff's Motion for Reconsideration of the Order of this Court Dated June 14, 2002, Denying Plaintiff's Motion to Remand.

Sincerely,

PHILLIP H. BAER

PHB:rlh
Enc.